

Legislation and Planning Committee Meeting (L&P)
Crowne Plaza West, Richmond
Friday, May 18, 2012
9:00 A.M.

Members Present:	Members Absent:	Staff:	Others:
Chris Eudailey, Chair		Scott Winston	Gary Samuels
Michael Player		Gary Brown	Bruce Edwards
Byron Andrews		Michael Berg	Cathy Cockrell
Rob Logan, Vice-Chair		Tim Perkins (by telephone)	Gary Critzer
Matt Tatum		Paul Sharpe	
Gary Dalton			
Art Lipscomb			
Ed Rhodes			

Topic/Subject	Discussion	Recommendations, Action/Follow-up; Responsible Person
OPENING	Mr. Chris Eudailey called the meeting to order at 9 AM. The minutes from Friday, February 10, 2012 were reviewed. The minutes were approved as written.	Motion to approve the minutes from the February 10, 2012 meeting made by Michael Player. Seconded by Art Lipscomb. The Committee voted unanimously to approve the minutes. Ed Rhodes abstained from the vote because he did not attend Feb. 10 meeting.
OEMS UPDATE	<p>Mr. Winston informed the committee to refer to the OEMS quarterly report to the state EMS Advisory Board for updates on key activities. The report is posted on the OEMS Web site at: http://www.vdh.virginia.gov/OEMS/AdvisoryBoard/ABQuarterlyReports.htm.</p> <p>Mr. Brown and Mr. Sharpe shared the most recent developments regarding funding for the centers that comprise the Poison Control Network in VA. The use of \$4 for Life funding for the poison control centers was reversed and will now come out the General Fund. Effective July 1,</p>	

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	<p>2012 with the beginning of the FY2013 Budget, \$500,000 has been allocated for two (2) of the three (3) existing poison control centers. No direction has been provided regarding which two (2) centers will receive funding. OEMS has asked VDH Administration if an RFP must be developed in order to provide funding for the poison control centers. If so, based on the timeline to complete the process, it is an impossible task.</p> <p>The current situation has serious implications on EMS and health care centers. Relationships between hospitals and poison control centers have been established over many years. Education, outreach, prevention, residency programs, etc. are in jeopardy.</p> <p>Mr. Ed Rhodes stated he would contact Mr. Joe Flores, Legislative Fiscal Analyst, Senate Finance Committee to determine the intent of the budget bill language. It was pointed out the Code of Virginia calls for the establishment of a Poison Control Network.</p> <p>Mr. Tatum expressed some concern that the EMS Fund will be used to fund the Poison Control Network. Mr. Rhodes reminded the committee that it was originally proposed by the Governor to use a portion of the EMS Training Funds set aside for NR testing fees to fund the Poison Control Network. A budget amendment was subsequently submitted to use a portion of the \$2 from the \$6.25 that is currently being diverted to the General Fund.</p>	<p>Mr. Art Lipcomb made a motion and seconded by Mr. Ed Rhodes to request the state EMS Advisory Board to request the Governor to extend funding to existing centers in the Poison Control Network using unappropriated balances in the General Fund until a study of the poison control centers can be completed. The motion was approved unanimously.</p>
STATE EMS PLAN UPDATE	<p>Mr. Tim Perkins updated the committee on the status of the state EMS Plan by telephone from Boston, MA. Mr. Perkins reported the final draft of the plan was approved by the state EMS Advisory Board at their August 13, 2010 meeting and ultimately approved by the Board of Health and Human Resources (BoH) at their March 11, 2011 meeting.</p> <p>Mr. Perkins indicated OEMS has recently received written updates from OEMS program managers related to each key strategic initiative and their associated objectives and action steps (refer to appendix F of the May 18 quarterly report to the state EMS Advisory Board). Tim reported the general theme of the updates is further progress on completing key strategic initiatives outlined in the state EMS Plan is contingent upon the promulgation of the EMS Regulations.</p>	

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	<p>Mr. Winston directed the discussion to establishing a timeline for updating the current state EMS Plan. The timeline should be based on the required triennial review of the state EMS Plan which must be completed by March 2014. The committee agreed that process previously utilized to develop the existing state EMS Plan should be repeated. Input from the standing committees of the state EMS Advisory Board should be requested along with ample opportunity for key stakeholder group input. Mr. Perkins indicated templates developed by OEMS to solicit committee input on the previous state EMS Plan can be utilized. Mr. Player suggested the review of the state EMS Plan should include the regional EMS Council Executive Directors group. Committees of the state EMS Advisory Board should be provided direction by OEMS and directed to provide updates on advancement toward accomplishing goals and objectives in state EMS Plan.</p>	
EMS REGULATIONS	<p>Mr. Michael Berg reported that the EMS Regulations remain at the Governor's office. At the Feb. 10, 2012 state EMS Advisory Board meeting, Dr. Karen Remley, state Health Commissioner requested Mr. Matt Cobb, Asst. Secretary of Health and Human Resources to check on the status of EMS Regulations. In addition, VDH Administration has identified the EMS Regulations as a priority to the Secretary for review and approval.</p>	
2012 session - EMS RELATED LEGISLATION	<p>The Office of EMS was assigned lead on four (4) bills during the 2012 session of the Virginia General Assembly (HB 177 – access to Trauma Registry Data for regional EMS Councils, PASSED; HB 380 – Victims of crime, regional plans, and the Crime Victim Compensation Fund, Incorporated into HB 352 and PASSED, language added to §32.1-111.3 pertaining to State EMS Plan and State Trauma Triage Plan that states, “<i>Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event there are victims as defined in § 19.2-11.01, and that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund become the lead coordinating agencies for those individuals determined to be victims; and maintain current contact information for both the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund</i>”, and HB 533 – prohibits reallocation of \$4forLife funds with approval from VA General Assembly, TABLED in House Appropriations and SB 312 –was, carried over to the 2013 session of GA). HB 940 will stagger terms of appointment to the state EMS Advisory Board beginning in July 1, 2012. New appointments to the Board will be made for 2, 3, and 4 year terms and then revert to a standard 3 year appointment term after all new appointments are made. OEMS has received no guidance from the Secretary of the</p>	

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	<p>Commonwealth on which positions on the Board will receive partial or full term appointment terms.</p> <p>Mr. Rhodes updated the committee on the status of bill related to the Virginia Retirement System (VRS) – SB497 and SB498, and several bills that would allow localities to regulate the use of traffic control devices (opticom) CARRIED OVER. HB 573. Uniform Flag Act. Flag to be flown at half mast for certain public safety personnel killed in the line of duty. EMS was not included originally, but was subsequently added along with National Guard and members of the Virginia Defense Force.</p> <p>A bill seeking to remove the limitations on the number of flashing or steady-burning red or red and white combination warning lights that can be placed on POV's was opposed by VSP, VAVRS, VFCA, and VAGEMSA. This bill was subsequently killed in sub-committee.</p> <p>Budget amendments related to Medicaid patient transport fees were discussed. The original proposal was to increase the ambulance transport fee reimbursed for Medicaid patient by 50%, the amount was subsequently reduced to 5% by the budget committees, and ultimately increased to 40% by amendments submitted by the Governor.</p> <p>Budget language was added to require the use of a portion of the 0.25 of the \$6.25 EMS Fund to pay for fees associated with initial NR testing at the Emergency Medical Responder (EMR) and Emergency Medical Technician (EMT) level. The language also calls for the EMS Advisory Board to recommend an allocation methodology to the Board to Health to assure funds are available to pay for the initial testing fees for individuals that seek EMS certification in Virginia at the basic level.</p> <p>Mr. Rhodes reported a work group would be formed to examine the issue of payment of benefits related to line of duty deaths for public safety personnel. Two (2) legislators will be on the work group along with the Governor's Chief of Staff, Secretary of Public Safety, Finance Director, and Law Enforcement, Fire and EMS representatives. Localities feel that if they are going to be responsible for paying death benefits for line of duty they want to determine eligibility requirements. This practice could lead to inconsistencies across the state. The work group will</p>	

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	be responsible for determining the most fair and equitable method to administer this fund.	
EMS NEEDS ASSESSMENT	<p>Mr. Winston notified the committee that the subject of conducting an EMS Needs Assessment came up at EMS Advisory Board Executive Committee meeting held on Friday, April 27. Mr. Winston shared with the committee that in the fall of 2009, OEMS received several proposals to conduct an EMS Needs Assessment survey. The proposals were in the \$45,000 to \$60,000 range and due to the budget deficit, it was decided it was not the time to conduct the assessment. The committee discussed the importance of recognizing EMS as a full partner in the healthcare and public safety community. Mr. Winston stated that he and Mr. Gary Brown had met with Mr. Dwight Crews, VDFP, Information and Statistics Manager about the possibility of piggy backing off of the Fire Needs Assessment. Mr. Crews indicated it would be possible as long as the questions related to the EMS Assessment were submitted by mid-June 2012. The survey goes out in the July/August time frame each year with a return date of November.</p> <p>Mr. Eudailey appointed a work group to work with Mr. Winston to develop questions for the EMS assessment . The work group consists of the following individuals: Mr. Michael Player, Mr. Rob Logan, Mr. Art Lipscomb, and Mr. Ed Rhodes. Mr. Logan suggested looking at previous meeting minutes of the committee to determine previously identified areas of interest; i.e. equipment, education, etc.</p>	<p>EMS Needs Assessment Work Group formed to develop questions for EMS supplement to Fire Needs Assessment: M. Player, R. Logan, A. Lipscomb, and E. Rhodes. Mr. Winston will contact VDFP to obtain a draft of the questions being considered for the 2012 Fire Needs Assessment.</p>
NEW BUSINESS	<p>The committee discussed the potential for legislation to be introduced during the 2013 session of the VA General Assembly to identify a dedicated funding source for LODD benefits. There was also discussion about the need to protect funding for EMS. During recent sessions of the General Assembly, frequent attempts have been made to reallocate dedicated funding for EMS to other programs and services that receive general fund appropriations. Several scenarios were discussed including developing a proposal to elevate EMS within VDH. A member of the committee asked how much federal money comes to Virginia for public safety and how much of this money is available to EMS?</p> <p>Mr. Lipscomb indicated there would be further discussions about how to protect funding for EMS through the remainder of this year. The next opportunity for discussion about EMS funding will take place on Thursday, May 31 from 3 to 5 PM at a meeting of the Public Safety Coalition. The Coalition meeting is scheduled to be held at the Henrico County Fire Training Center .</p>	

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UNFINISHED BUSINESS	No unfinished business.	
PUBLIC COMMENT Meeting dates for 2012	<p>There was no public comment.</p> <p>The following meeting dates were announced for 2012: August 10 in Richmond, VA at the Crowne Plaza West and Wednesday, November 7 or an alternate date that coincides with the Virginia Fire Services Council Legislative Summit (typically held in October time frame).</p> <p>All meetings will begin at 9 AM unless otherwise indicated.</p>	
ADJOURNMENT	The meeting was adjourned at approximately 10:30 AM	